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ACTION IO-16

INFO	LOG-00	AF-01	AID-01	AMAD-01	ARA-01	CIAE-00	SMEC-00
	C-01	OASY-00	DODE-00	EAP-01	EB-01	EUR-01	HA-09
	H-01	TEDE-00	INR-00	L-01	ADS-00	NEA-01	NSAE-00
	NSCE-00	OIC-02	PA-01	PRS-01	P-01	SP-00	SR-00
	SS-00	STR-01	TRSE-00	USIE-00	SA-01	RPE-01	/044W

-----484D4B 181450Z /38

O 181452Z MAY 94
FM USMISSION GENEVA
TO SECSTATE WASHDC IMMEDIATE 9447
INFO HUMAN RIGHTS COMMISSION COLLECTIVE
AMEMBASSY ADDIS ABABA
AMEMBASSY BUJUMBURA
AMEMBASSY CAIRO
AMEMBASSY DAR ES SALAAM
AMEMBASSY KAMPALA
AMEMBASSY KINSHASA

LIMITED OFFICIAL USE SECTION 01 OF 02 GENEVA 04613

USUN PLEASE PASS AMB.-DES. FERRARO

E.O. 12356: N/A
TAGS: PHUM, UNHRC-1, RW
SUBJECT: HUMAN RIGHTS COMMISSION: WEOG MEETING MAY 18

REF: GENEVA 4569 AND PREVIOUS
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SUMMARY

1. WEOG REPRESENTATIVES SUPPORT APPOINTMENT OF A SPECIAL
RAPPORTEUR ON RWANDA AT NEXT WEEK'S SPECIAL SESSION OF THE
HUMAN RIGHTS COMMISSION. THEY AGREE ON THE IMPORTANCE OF
MAINTAINING A DISTINCTION BETWEEN THE COMMISSION AND THE
HIGH COMMISSIONER, BUT HAVE NOT YET FIGURED OUT WHAT THEY
THINK ABOUT A) THE RELATIONSHIP BETWEEN THE COMMISSION AND
THE SECURITY COUNCIL, B) THE QUESTION OF GENOCIDE AS
APPLIED TO RWANDA, OR C) RESOURCE REQUIREMENTS ARISING

UNITED STATES DEPARTMENT OF STATE
REVIEW AUTHORITY: ARCHIE M BOLSTER
DATE/CASE ID: 04 NOV 2011 201005065

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FROM THE SPECIAL SESSION. ALL CONCUR ON THE NEED FOR CLOSE COORDINATION WITH THE AFRICAN GROUP, A PROCESS WHICH WILL TAKE MUCH OF OUR TIME FOR THE REMAINDER OF THE WEEK. END SUMMARY.

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2. THE WEOG MET MAY 18, WITH CANADIAN CHARGE PAUL DUBOIS IN THE CHAIR, TO DISCUSS LATEST DEVELOPMENTS AND NEXT STEPS CONCERNING THE SPECIAL SESSION OF THE HUMAN RIGHTS COMMISSION WHICH CANADA REQUESTED TO DEAL WITH RWANDA. FORTYFIVE COUNTRIES FROM ALL REGIONAL GROUPS (INCLUDING ALL WEOG MEMBERS OF THE COMMISSION) HAD RESPONDED POSITIVELY TO CANADA'S INITIATIVE; THE COMMISSION WOULD MEET TUESDAY AND WEDNESDAY, MAY 24 AND 25. IT WAS THEREFORE TIME TO BEGIN CONSIDERATION OF THE PROCESS AND SUBSTANCE FOR THE COMMISSION ITSELF. A GENERAL DISCUSSION ENSUED WHICH YIELDED THE FOLLOWING APPARENT CONSENSUS.

PROCESS

3. IN ADDITION TO MEETING WITH THE HCHR IMMEDIATELY AFTER LIMITED OFFICIAL USE

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HIS RETURN FROM THE REGION, CANADA SHARED WITH INDIVIDUAL WEOG AND AFRICAN GROUP MEMBERS AN INFORMAL LIST OF ELEMENTS TO BE INCLUDED IN ANY RESOLUTION AT THE SPECIAL SESSION. THE AFRICANS WILL MEET AS A GROUP ON WEDNESDAY TO DISCUSS THAT LIST AND DISCUSS WHAT THEY WANT TO SEE INCLUDED. PROVIDED THE WEOG ACHIEVE CONSENSUS ON SUCH ELEMENTS, CANADA HOPES TO CALL AN OPEN-ENDED WORKING GROUP WITH WEOG AND AFRICAN REPRESENTATIVES ON THURSDAY OR FRIDAY TO DRAFT THE RESOLUTION. THE INTENTION IS TO HAVE A "CLOSE TO FINAL" TEXT READY BY THE TIME THE SESSION BEGINS ON TUESDAY MORNING. WEOG REPS GENERALLY SUPPORTED THIS PLAN, BUT WARNED THAT IT IS IMPORTANT NOT TO TRY TO RAM A "WEOG DRAFT" DOWN AFRICAN THROATS, NOR TO LET THE AFRICANS GET SO FAR ALONG IN DRAFTING A TEXT OF THEIR OWN THAT WE ARE PRESENTED WITH A TAKE-IT-OR-LEAVE-IT SITUATION (AS HAPPENED WITH THE ANGOLAN RESOLUTION AT LAST SUMMER'S WORLD CONFERENCE).

SUBSTANCE

5. AFTER MUCH DISCUSSION, DURING WHICH U.S. REPS SET OUT OUR VIEWS ON ELEMENTS TO BE INCLUDED, WEOG REPRESENTATIVES GENERALLY AGREED ON THE FOLLOWING ELEMENTS FOR INCLUSION IN ANY RESOLUTION:

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- THE COMMISSION SHOULD PRAISE THE INITIATIVE OF, BUT
MAINTAIN ITS DISTANCE FROM, THE HIGH COMMISSIONER;

- IT SHOULD NOTE WITH PLEASURE ANY HUMAN RIGHTS ELEMENTS
IN RESOLUTIONS ADOPTED OR UNDER CONSIDERATION BY THE
SECURITY COUNCIL;

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- IT SHOULD PRAISE THE HUMANITARIAN RELIEF EFFORTS AND
CALL FOR CONTINUED PROTECTION OF THE VULNERABLE;

- IT SHOULD CONDEMN THE HUMAN RIGHTS VIOLATIONS AND
ABUSES WHICH HAVE OCCURRED IN RWANDA AND MAY STILL BE
OCCURRING;

- A SPECIAL RAPPORTEUR SHOULD BE APPOINTED, WHO (WITH
THE ASSISTANCE OF THEMATIC RAPPORTEURS AS APPROPRIATE)
SHOULD BE ASKED TO PREPARE A REPORT -- WITHIN A FIXED AND
BRIEF TIME PERIOD -- TO THE HIGH COMMISSIONER, THE

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SUBJECT: HUMAN RIGHTS COMMISSION: WEOG MEETING MAY 18

COMMISSION, AND THE SECRETARY-GENERAL (WHO WOULD BE ASKED
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TO MAKE IT AVAILABLE TO THE SECURITY COUNCIL), AND OTHER
REPORTS SHOULD BE SUBMITTED PERIODICALLY, OR AS
CIRCUMSTANCES WARRANT; AND

- THE REPORT SHOULD INCLUDE A PRELIMINARY ANALYSIS OF
RESPONSIBILITY FOR THE ABUSES AND VIOLATIONS.

6. THERE WAS DISCUSSION OF, BUT NOT FULL AGREEMENT ON,
OTHER QUESTIONS. SOME OF THE HESITATION AROSE FROM A
DESIRE NOT TO GET CROSSWAYS WITH THE SECURITY COUNCIL,
SOME FROM A SIMILAR FEELING VIS-A-VIS THE AFRICANS. AMONG
THE ISSUES IN THIS LIST:

- A) THE PROPOSAL FOR FIELD MONITORS (CONCERNS ABOUT
GETTING APPROVAL FROM ECOSOC AND ABOUT COSTS),
- B) HOW TO DEAL WITH THE QUESTIONS OF GENOCIDE (MAINLY
DUE TO HESITATION ABOUT THE LEGAL IMPLICATIONS AT HOME AND
ABROAD OF AN OUTRIGHT FINDING ON THE SUBJECT): AND
- C) WHAT TO SAY ABOUT EVENTUAL PROVISION OF ADVISORY

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SERVICES (AGAIN A QUESTION OF RESOURCES, PLUS THE QUESTION OF WHAT SERVICES WOULD BE MOST APPROPRIATE.)

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BURUNDI

7. OPINIONS WERE DIVIDED ON WHAT THE COMMISSION SHOULD SAY OR DO ABOUT BURUNDI. SOME MAINTAINED THAT THE COMMISSION SHOULD BE CRITICAL OF EVENTS IN BURUNDI AND LINK THEM TO RWANDA. OTHERS NOTED THAT THE DRAMA HAS NOT UNFOLDED IN THE SAME MANNER AS IN RWANDA AND IT WOULD BE LIMITED OFFICIAL USE

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BETTER NOT TO FAN THE FLAMES BY ODIIOUS COMPARISONS. ALL AGREED THAT ADVISORY SERVICES ARE AN APPROPRIATE CHANNEL TO PREVENT BURUNDI FROM GOING THE WAY OF ITS NORTHERN COUSINS, BUT WORRIED THAT THE CENTER'S RESOURCES MIGHT NOT BE ADEQUATE TO DEVELOP AND IMPLEMENT SUCH A PROGRAM.

A TEST CASE

8. A STRONG INTERVENTION WAS MADE BY AUSTRALIA'S AMBASSADOR PENNY WENSLEY. SHE SAW THE CRISIS IN RWANDA AND THE SPECIAL SESSION AS A TEST CASE. IT'S A TEST FOR THE HIGH COMMISSIONER AS HE SEEKS TO DEFINE HIS ROLE, STRENGTHEN AND ENHANCE PREVENTIVE DIPLOMACY, RAISE HIS PROFILE AND ENHANCE HIS CLOUT, AND TAKE OVER THE JOB OF COORDINATION WITHIN THE UN SYSTEM ON HUMAN RIGHTS. THE WORK OF THE COMMISSION IS ONLY ONE PART OF THIS EFFORT BY AND FOR THE HIGH COMMISSIONER -- IT MAY BE A LONG-RUNNING EFFORT, BUT IT'S ONLY ONE ELEMENT. THE SITUATION IS ALSO A TEST CASE FOR THE COMMISSION, WENSLEY SAID. THERE HAVE BEEN ONLY TWO OTHER SPECIAL SESSIONS, BOTH ON YUGOSLAVIA. WE CAN DO NO LESS THAN WE DID AT THOSE SESSIONS, I.E., APPOINT A SPECIAL RAPPOREUR. THE AFRICAN GROUP WILL SEE THIS AS A TEST OF HOW MUCH THE WEST (WEOG) CARES ABOUT HUMAN RIGHTS IN AFRICA, OR ANYWHERE OUTSIDE THE OLD EAST-WEST CONFLICT. AFRICANS HAVE A PROFOUND SENSITIVITY ABOUT FINGER-POINTING, AND WE MUST BE AWARE OF THIS. IF THERE ARE TO BE ATTRIBUTIONS OF BLAME, THEY MUST BE WELL-FOUNDED. THEY WILL ALSO LOOK TO SEE HOW MUCH OF OUR MONEY WE ARE WILLING TO PUT UP ABOUT AN AFRICAN ISSUE WHICH (UNLIKE YUGOSLAVIA) REALLY POSES NO THREAT TO WESTERN EUROPE. THE IDEA OF A SPECIAL RAPPOREUR IS LIMITED OFFICIAL USE

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INEVITABLE: THE HCHR WANTS ONE, THE OAU DOES TOO, AND THE
FIRST SPECIAL SESSION ENDED WITH ONE. THE QUESTION NOW
BECOMES WHO IT WILL BE? ANY IDEAS? (SILENCE.) ALSO,
WENSLEY CONCLUDED, WE HAVE TO GET INTO THE AFRICANS'
THINKING PRONTO, SO THAT WE ARE NOT PRESENTED WITH A FINAL
DRAFT BEFORE OUR THOUGHTS CAN BE CONSIDERED. (COMMENT:
WE FOUND THESE REMARKS TELLING AND THUS REPORT THEM AT
LENGTH.)

9. MOST WEOG MISSIONS PLAN TO BE REPRESENTED AT THE
SPECIAL SESSION BY THEIR GENEVA MISSIONS.

10. MINIMIZE CONSIDERED SPIEGEL

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